

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

DIANE MOORE, ET AL.

v.

THE BANK OF NEW YORK MELLON,
ET AL.

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Civil Action No. 4:20-CV-200
(Judge Mazzant/Judge Nowak)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On February 2, 2021, the report of the Magistrate Judge (Dkt. #40) was entered containing proposed findings of fact and recommendations that (1) Defendants' Motion for Summary Judgment (Dkt. #27) be granted; (2) Plaintiffs Diane Moore and James Moore's claims be dismissed with prejudice; and (3) Defendants be awarded \$18,830 as reasonable attorneys' fees and costs to be paid by Plaintiffs Diane Moore and James Moore solely as a further obligation under the Note and Deed of Trust.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is therefore **ORDERED** that Defendants' Motion for Summary Judgment (Dkt. #27) is **GRANTED**.

It is further **ORDERED** that Defendants are awarded \$18,830 as reasonable attorneys' fees and costs to be paid by Plaintiffs Diane Moore and James Moore solely as a further obligation under the Note and Deed of Trust.

IT IS SO ORDERED.

SIGNED this 22nd day of March, 2021.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE